

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA**

---

ELLIOT GRODKO, Individually and  
on Behalf of All Others Similarly  
Situating,

Plaintiffs,

v.

TEVA PHARMACEUTICAL  
INDUSTRIES LTD., et al.,

Defendants.

---

Civil Action No. 2:17-cv-03743-PD

**STIPULATION AND [PROPOSED] ORDER**

WHEREAS, on October 23, 2017, pursuant to 15 U.S.C. §78u-4(a)(3)(A) and (B), seven timely-filed competing motions for consolidation of related actions, for appointment as Lead Plaintiff, and for approval of Lead Counsel, were filed in the above-captioned cases by the following Lead Plaintiff Movants: Yael Amsellem (“Amsellem”), represented by Kahn Swick & Foti, LLC (“KSF”); Mason P Slaine Revocable Trust (“Slaine” and together with Amsellem, “Movants”), represented by The Rosen Law Firm, P.A. (“Rosen”); City of Birmingham Retirement and Relief System (“City of Birmingham”); Abraham Cohen and Vincent Della Volpe; Teva Investor Group; Andrew and Danielle Blumenthal and Beatrice M. Akers; and Jonathan and Grace Lo;

WHEREAS, on November 1, 2017, the Honorable Chief Judge Lawrence F. Stengel entered an order consolidating the above-captioned cases and assigning the consolidated action to the Honorable Paul S. Diamond under the caption, *Elliot Grodko v. Teva Pharmaceutical Industries, Ltd., et al.*, No. 17-3743 (ECF No. 16);

WHEREAS, between November 3, 2017 and November 6, 2017, four of those competing Lead Plaintiff movants or groups of movants (Andrew and Danielle Blumenthal and Beatrice M. Akers, City of Birmingham, Teva Investor Group, and Jonathan and Grace Lo) all conceded they did not possess the greatest financial interest in the litigation (*see Grodko* ECF 17-18; *Baker* ECF 9-10);

WHEREAS, Lead Plaintiff movants Abraham Cohen and Vincent Della Volpe did not file any response at all to the competing motions for appointment;

WHEREAS, on November 6, 2017, Lead Plaintiff Movants Amsellem (*Baker* ECF No. 12) and Slaine (*Baker* ECF No. 11) filed responses to their competing motions for appointment; on November 7, 2017, Amsellem filed a reply (*Baker* ECF No. 13); on November 20, 2017, Slaine filed a reply (*Baker* ECF No. 14); and on December 14, 2017, Slaine filed a notice of supplemental authority in support of its motion for appointment (*Grodko* ECF No. 29; *Baker* ECF No. 15);

WHEREAS, on November 14, 2017, Defendants filed a motion to transfer the above-captioned cases to the United States District Court for the District of Connecticut (*Grodko* ECF No. 24); on November 28, 2017, Amsellem filed a

response in opposition to Defendants' motion to transfer (*Grodko* ECF No. 26); on December 8, 2017, Defendants filed a reply in support of their motion to transfer (*Grodko* ECF No. 27);

WHEREAS, on December 14, 2017, the Court entered an order extending the briefing schedule on Defendants' motion to transfer, setting December 27, 2017 as the deadline for the filing of additional responses to Defendants' motion to transfer (ECF No. 16);

WHEREAS, on December 11, 2017, Defendants filed a response to the competing motions for appointment as Lead Counsel (*Grodko* ECF No. 28);

WHEREAS, Amsellem and Slaine, the only remaining Lead Plaintiff movants, each with relatively substantial losses, understand the importance and accept the role of supervising and monitoring this complex securities class action lawsuit and have determined that to best protect the interests of the Class, it will be more efficient jointly to prosecute this matter rather than to seek Lead Plaintiff status individually, *see* 15 U.S.C. §78u-4(a)(3)(B)(iii)(I) (allowing for appointment of a "person or group of persons" as lead plaintiff);

WHEREAS, Movants Amsellem and Slaine further recognize the value of their varying experiences, backgrounds, and expertise will have in this litigation and for the decision-making process and, as a result, have agreed to serve as Co-Lead Plaintiffs, with their respective choices of counsel serving as Co-Lead Counsel,

**NOW THEREFORE, MOVANTS HERBY AGREE AND STIPULATE  
AS FOLLOWS:**

1. Amsellem and Slaine shall serve as Co-Lead Plaintiffs in the above-captioned Consolidated Action, pursuant to 15 U.S.C. §77u-4(a)(3)(B).

2. Amsellem's and Slaine's counsel, KSF and Rosen, shall serve as Co-Lead Counsel for the Class pursuant to 15 U.S.C. §77u-4(a)(3)(B)(v).

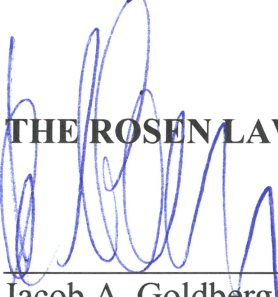
Dated: December 29, 2017

**KAHN SWICK & FOTI, LLC**

  
\_\_\_\_\_  
Kim E. Miller  
J. Ryan Lopatka (*pro hac vice* pending)  
250 Park Avenue, Suite 2040  
New York, NY 10177  
Tel: (212) 696-3730  
Fax: (504) 455-1498  
Email: Kim.Miller@ksfcounsel.com

*Counsel for Yael Amsellem and  
Proposed Co-Lead Counsel for the  
Class*

**THE ROSEN LAW FIRM, P.A.**

  
\_\_\_\_\_  
Jacob A. Goldberg (PA ID: 66399)  
101 Greenwood Avenue, Suite 440  
Jenkintown, PA 19046  
Tel: (215) 600-2817  
Fax: (212) 202-3827  
Email: jgoldberg@rosenlegal.com

Laurence Rosen  
Phillip Kim  
275 Madison Avenue, 34th Floor  
New York, NY 10016  
Tel: (212)-686-1060  
Fax: (212)-202-3827  
Email: lrosen@rosenlegal.com

*Counsel for Mason P Slaine Revocable  
Trust and Proposed Co-Lead Counsel  
for the Class*

**SO ORDERED:**

DATED: \_\_\_\_\_

\_\_\_\_\_  
THE HONORABLE PAUL S. DIAMOND  
UNITED STATES DISTRICT JUDGE

**CERTIFICATE OF SERVICE**

I hereby certify that on this 29th day of December, 2017, a true and correct copy of the foregoing Stipulation and [Proposed] Order was served by CM/ECF to the parties registered to the Court's CM/ECF system.

/s/ Jacob A. Goldberg  
Jacob A. Goldberg